

JOINT RESOLUTION REGARDING SECRET**BALLOT**

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl Wimmer

Senate Sponsor: _____

LONG TITLE**General Description:**

This joint resolution of the Legislature proposes to amend the Utah Constitution to provide for voting by secret ballot as a fundamental right.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ provide that voting by secret ballot is a fundamental right; and
- ▶ prohibit the infringement of the right to vote by secret ballot in elections.

Special Clauses:

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2011 for this proposal.

Utah Constitution Sections Affected:

ENACTS:

ARTICLE I, SECTION 30

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

Section 1. It is proposed to enact Utah Constitution Article I, Section 30, to read:

Article I, Section 30. [Secret ballot.]

The right of the people to vote by secret ballot is fundamental. The right to vote by



28 secret ballot in an election under state or federal law for public office, on an initiative or
29 referendum, or to designate or authorize employee representation may not be infringed.

30 Section 2. **Submittal to voters.**

31 The lieutenant governor is directed to submit this proposed amendment to the voters of
32 the state at the next regular general election in the manner provided by law.

33 Section 3. **Effective date.**

34 If the amendment proposed by this joint resolution is approved by a majority of those
35 voting on it at the next regular general election, the amendment shall take effect on January 1,
36 2011.

Legislative Review Note
as of 12-22-08 10:29 AM

Office of Legislative Research and General Counsel